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October 18, 2010

Via ECF and Regular Mail

The Honorable Patty Shwartz
United States Magistrate Judge
U.S. District Court for the District of New Jersey
U.S. Post Office & Courthouse Bldg.
50 Walnut Street, Federal Square
Newark, New Jersey 07102

Re: *Advanced Video Technologies, LLC v. Casio America, Inc., et al.*
Civil Action No. 09-5220 (KSH)(PS)

Dear Judge Shwartz:

With the consent of plaintiff Advanced Video Technologies, LLC ("AVT"), defendants Casio America, Inc. ("Casio America") and Casio Computer Co., Ltd. ("Casio Computer") (collectively, "Casio") submit this letter in the above-referenced matter. Casio is not comfortable representing that we have reached agreement, but the parties are nearing settlement on their own, and so request that the Court cancel the settlement conference now scheduled for October 25. There are two reasons for this request:

(1) The parties are making great progress on settlement themselves, and all expect final settlement soon. The monetary amount of the settlement has been agreed to and the parties are presently working on a few remaining details of the Settlement Agreement. Accordingly, having a Tokyo representative make the expensive and burdensome trip to Newark is unnecessary.

(2) Perhaps more importantly, as we advised the Court in our joint letter of September 23, and as the Court acknowledged in its Amended Pretrial Scheduling Order (footnote 1), settlement requires approval of various third parties in Japan. That necessary approval is the primary reason why we do not yet have final settlement. The third parties have approved the payment amount for settlement and there are no apparent and serious impediments to obtaining approval of the specific terms, but it is taking time. Since the approval we are awaiting is of

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Japanese third parties, having a settlement conference with a Casio representative will be futile because the Casio representative will be unable to do anything at the settlement conference to move ahead settlement -- at this time it is out of Casio's hands.

Accordingly, we respectfully request that the October 25 conference be cancelled, and the parties be ordered to report to the Court on settlement progress by a date certain in early November. In the very unlikely event that settlement is not reached, the parties will jointly propose a new schedule that stays within the present schedule and time for trial. Plaintiff AVT consents to this request.

Respectfully submitted,

s/ Mark S. Olinsky

MARK S. OLINSKY

cc: Stephen Roth, Esq. (by ECF only)

SO ORDERED:

HON. PATTY SHWARTZ, U.S.M.J.